

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Andreas Stumpf	Docket No.: 379612-250US (397490)
Serial No.: 10/588,637	Confirmation No.: 9800
Filed: August 29, 2007	Group Art Unit: 1625
For: METHODS FOR MAKING 3-O- PROTECTED MORPHINONES AND 3-O-PROTECTED MORPHINONE DIENOL CARBOXYLATES	Examiner: Charanjit Aulakh

**INFORMATION DISCLOSURE STATEMENT**

**VIA EFS-WEB**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §§ 1.97 and 1.98, Applicant submits herewith patents, publications and/or other information (listed below and/or on the attached Substitute for Form 1449/PTO) that may be material to the examination of the captioned application, and in respect of which there may be a duty of disclosure as set forth in 37 CFR § 1.56, for consideration and to be made of record in the captioned application by the U.S. Patent and Trademark Office.

Applicant notes that References **B2**, **C15**, and **C16** relate to the PCT parent application for the captioned application. Applicant notes that Reference **C10** relates to an EP counterpart of the captioned application. Applicant notes that References **C11** and **C14** relate to EP divisional counterparts of the captioned application. Applicant notes that Reference **B1** was submitted without a translation in the Information Disclosure Statement dated February 23, 2009; therefore, it is resubmitted here as Reference **B1** along with a "machine" translation into English.

- 1) ☒ In accordance with 37 CFR § 1.98, accompanying this Information Disclosure Statement are:
- 1a. ☒ copies of: (i) each foreign patent listed on the attached Substitute for Form 1449/PTO; (ii) each publication listed on the attached Substitute for Form 1449/PTO, or that portion which caused it to be listed, *other than* U.S. patents and U.S. patent application publications; (iii) for

each pending unpublished U.S. application, a copy of the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion; and (iv) other information, or that portion which caused it to be listed herein or on the attached Substitute for Form 1449/PTO (37 CFR § 1.98(a)(2)); and/or

- 1b. ☐ a concise explanation of relevancy, or an English language translation, of non-English language publications listed on the attached Substitute for Form 1449/PTO (37 CFR § 1.98(a)(3)(i) & (ii)).

- 2) ☒ This Information Disclosure Statement is filed under 37 CFR § 1.97(b):

3a. ☐ within three months of the filing date of a national application other than a continued prosecution application under 37 CFR § 1.53(d);

3b. ☐ within three months of the entry of the national stage as set forth in 37 CFR § 1.491 in an international application;

3c. ☒ before the mailing of a first Office Action on the merits; *or*

3d. ☐ before the mailing of a first Office Action, and after the filing of a Request for Continued Examination under 37 CFR § 1.114. **Accordingly, no certification or fee is required.**

As specified in 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

The filing of this Information Disclosure Statement shall not be construed as a representation that no other material information as defined in 37 CFR § 1.56(a) exists.

As specified in 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any information cited herein is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

Moreover, while the patents, publications and/or other information disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, the Disclosure is not intended to

constitute an admission that any patents, publications and/or other information included or referred to herein is "prior art" to the captioned application unless specifically designated as such.

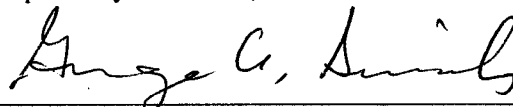
It is respectfully submitted that this Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609. Accordingly, consideration of the foregoing and prompt return of a copy of the enclosed Substitute for Form 1449/PTO with the Examiner's initials in the left column in accordance with MPEP § 609 are respectfully requested.

No fees are believed due in connection with this Information Disclosure Statement. However, the Director is authorized to charge any additional required fees, or credit any overpayment, to Dechert LLP Deposit Account No. 50-2778 (Order No. 379612-250US (397490)).

Date: August 3, 2010

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Respectfully submitted,



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